



PATENT  
ATTORNEY DOCKET NO. 054791-5004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshimi TOMITA

Application No.: 09/985,838

Filed: November 6, 2001

For: MULTI-LAYERED DISC AND  
MULTI-LAYERED DISC  
REPRODUCING APPARATUS

Confirmation No.: 440441

Group Art Unit: 2655

Examiner: J. Ortiz

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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. The documents included in this Information Disclosure Statement (IDS) were cited in a Search Report dated April 6, 2004 issued by the European Patent Office for a related European patent application. A copy of the Search Report citing these documents and setting forth the relevance thereof is enclosed for the Examiner's consideration.

To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application, and no fees are believed to be necessary.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that any better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: April 26, 2004

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